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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITYLIGHTS DISTRIBUTION, LLC,

Plaintiff,

-against-

FANX, INC., *doing business as* GAMEDAY VR,

Defendant.

23-CV-8397 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS the parties appeared before the Court for an Order to Show Cause Hearing why default judgment should not be entered on December 21, 2023, and Defendant appeared, *see* Dkts. 16, 21; and

WHEREAS Defendant filed its Answer to the Complaint on January 5, 2024, *see* Dkt. 23.

IT IS HEREBY ORDERED that in accordance with Rule 16 of the Federal Rules of Civil Procedure, the Initial Pretrial Conference (“IPTC”) will be held on **January 26, 2024, at 10:00 a.m.** The IPTC will be held in **Courtroom 443** of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

IT IS FURTHER ORDERED that the parties are directed to submit a joint letter (the “Joint Letter”) of no more than five pages by **January 18, 2024** addressing each of the following in separate paragraphs:

- a) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s);
- b) any contemplated motions;
- c) the basis for subject matter jurisdiction;


- d) the prospect for settlement; and
- e) whether the parties believe a Rule 16 conference would be helpful or whether they believe it is unnecessary and that their proposed Case Management Plan be so ordered.

IT IS FURTHER ORDERED that the parties are directed to consult the Undersigned's Individual Practices in Civil Cases and to confer on a Civil Case Management Plan and Scheduling Order. The Individual Practices and Civil Case Management Plan may be found on the Court's website: <https://nysd.uscourts.gov/hon-valerie-e-caproni>. The parties must submit the jointly proposed Plan to the Court with their Joint Letter. The deadlines proposed in the Court's form Case Management Plan are generally appropriate for most routine cases. If the parties propose a date for the deadline of fact discovery that is more than 120 days from the date of the IPTC, the Joint Letter must explain why more than four months are needed to conduct fact discovery. The deadline to complete fact discovery is a firm date and will not be extended absent extraordinarily good cause.

IT IS FURTHER ORDERED that at any time, upon a joint request, the Court can enter a referral to the Honorable Gary Stein, U.S. Magistrate Judge, for a settlement conference.

SO ORDERED.

Date: January 8, 2024
New York, New York



VALERIE CAPRONI
United States District Judge